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**COUNTY OF SAN LUIS OBISPO  
DEPARTMENT OF PLANNING AND BUILDING  
STAFF REPORT**

**SUBDIVISION REVIEW BOARD**

<b>MEETING DATE</b> December 5, 2005	<b>CONTACT/PHONE</b> Stephanie Fuhs (805) 781-5721	<b>APPLICANT</b> Fred Asmussen	<b>FILE NO.</b> CO 04-0153 SUB2003-00328
<b>SUBJECT</b> Hearing to consider a request by Fred Asmussen for a Parcel Map (SUB2003-00328) to subdivide a 14-acre parcel into two parcels 6.35 acres and 7.62 acres each for the sale and/or development of each parcel. There are two existing access roads on the project site, one extending from Dawn Road to the proposed western parcel and a second access road extending from Westwind Way to the proposed eastern parcel. The project site is located on the southwestern corner of Westwind Way and Dawn Road (at 1225 Dawn Road), approximately 0.3 mile north of Camino Caballo, in the community of Nipomo, in the South County (Inland) planning area			
<b>RECOMMENDED ACTION</b> 1. Adopt the Negative Declaration in accordance with the applicable provisions of the California Environmental Quality Act, Public Resources Code Section 21000 et seq. 2. Approve Vesting Tentative Parcel Map CO 04-0153 based on the findings listed in Exhibit A and the conditions listed in Exhibit B			
<b>ENVIRONMENTAL DETERMINATION</b> The Environmental Coordinator, after completion of the initial study, finds that there is no substantial evidence that the project may have a significant effect on the environment, and the preparation of an Environmental Impact Report is not necessary. Therefore, a Negative Declaration (pursuant to Public Resources Code Section 21000 et seq., and CA Code of Regulations Section 15000 et seq.) has been issued on October 20, 2005 for this project. Mitigation measures are proposed to address Agricultural Resources, Air Quality, Biological Resources, Geology and Soils, Public Services and Utilities, Recreation, Transportation and Water and are included as conditions of approval.			
<b>LAND USE CATEGORY</b> Residential Rural	<b>COMBINING DESIGNATION</b> None	<b>ASSESSOR PARCEL NUMBER</b> 092,232,022	<b>SUPERVISOR DISTRICT(S)</b> 4
<b>PLANNING AREA STANDARDS:</b> 22.112.020 – Area Wide standards, 22.112.040 – Rural Area standards			
<b>LAND USE ORDINANCE STANDARDS:</b> 22.22.060 – Subdivision Design Standards for the Residential Rural land use category			
<b>EXISTING USES:</b> Two mobile homes and a storage shed			
<b>SURROUNDING LAND USE CATEGORIES AND USES:</b> <i>North:</i> Residential Rural/Residences <i>East:</i> Residential Rural/Greenhouses and Residences <i>South:</i> Residential Rural/Greenhouses and Residences <i>West:</i> Residential Rural/Residences			
<small>ADDITIONAL INFORMATION MAY BE OBTAINED BY CONTACTING THE DEPARTMENT OF PLANNING &amp; BUILDING AT: COUNTY GOVERNMENT CENTER ♦ SAN LUIS OBISPO ♦ CALIFORNIA 93408 ♦ (805) 781-5600 ♦ FAX: (805) 781-1242</small>			

OTHER AGENCY / ADVISORY GROUP INVOLVEMENT: The project was referred to: Nipomo Community Advisory Council, Public Works, Environmental Health, Ag Commissioner, County Parks, CDF, APCD	
TOPOGRAPHY: Level to moderately sloping	VEGETATION: Ruderal vegetation, non-native annual grasses, eucalyptus
PROPOSED SERVICES: Water supply: On-site well Sewage Disposal: Individual septic system Fire Protection: CDF	ACCEPTANCE DATE: August 18, 2004

#### ORDINANCE COMPLIANCE:

##### *Minimum Parcel Size*

Section 22.22.060 of the Land Use Ordinance establishes standards for determining minimum parcel sizes in the Residential Rural land use category. The standards are based on the distance from an urban areas, fire response time, type of access serving the property and the topography of the site. Minimum parcel size is based on the largest parcel size as calculated by tests. The proposed parcels meet all requirements for five acre parcels as follows:

TEST	STANDARD	MINIMUM PARCEL SIZE
Remoteness	0-5 miles from the Nipomo urban reserve line	5 acres
Fire Hazard/ Response Time	Within the 15 minute response time In the high fire hazard area	5 acres
Access	Located on a 40-foot right-of-way	5 acres
Slope	Average slope is between 0 and 15%	5 acres

##### *Quimby Fees*

Title 21, the Real Property Division Ordinance, establishes an in-lieu fee for all new land divisions for the purpose of developing new, or rehabilitating existing, park or recreational facilities to serve the land division. Payment of the parkland fee for all undeveloped parcels is required prior to map recordation.

##### *Affordable Housing Fees*

County Ordinance 2529 establishes a fee of 3.5% of the public facility fee for all new land divisions. This allows recognized affordable housing projects to be exempted from public facility fees.

##### *Design Standards*

The proposed parcels are consistent with the design criteria set forth in Chapter 3 of the Title 21 of the Real Property Division Ordinance.

*Road Improvements*

This application was reviewed in detail by both Public Works and Planning and Building relative to access and circulation requirements for the area. This is in response to the potential for further divisions and development in the site vicinity. As a result of this review, both an offer of dedication and road improvements are recommended as a means of providing appropriate access and circulation for this area.

**PLANNING AREA STANDARDS:**

22.112.040(G) – Applicable standards include providing an 80-foot front setback for new development and retaining existing vegetation as much as feasible into the subdivision design. As proposed and conditioned, the project meets these standards.

**COMMUNITY ADVISORY GROUP COMMENTS:** The Nipomo Community Advisory Council supported the project at their July 26, 2004 meeting.

**AGENCY REVIEW:**

Public Works – Supports with conditions

Environmental Health – Stock conditions for individual wells and septic systems

Ag Commissioner – Provide supplemental disclosure of neighboring agricultural operations

County Parks – Require Detached trail along Westwind Way, Quimby and Building Division fees

CDF – See attached fire safety plan

**LEGAL LOT STATUS:**

The one lot was legally created by a recorded map at a time when that was a legal method of creating lots.

## FINDINGS - EXHIBIT A

### *Environmental Determination*

- A. The Environmental Coordinator, after completion of the initial study, finds that there is no substantial evidence that the project may have a significant effect on the environment, and the preparation of an Environmental Impact Report is not necessary. Therefore, a Negative Declaration (pursuant to Public Resources Code Section 21000 et seq., and CA Code of Regulations Section 15000 et seq.) has been issued on October 20, 2005 for this project. Mitigation measures are proposed to address Agricultural Resources, Air Quality, Biological Resources, Geology and Soils, Public Services and Utilities, Recreation, Transportation and Water and are included as conditions of approval.

### *Tentative Map*

- B. The proposed map is consistent with applicable county general and specific plans because it complies with applicable area plan standards and is being subdivided in a consistent manner with the Residential Rural land use category.
- C. The proposed map is consistent with the county zoning and subdivision ordinances because the parcels meet the minimum parcel size set by the Land Use Ordinance and the design standards of the Real Property Division Ordinance.
- D. The design and improvement of the proposed subdivision are consistent with the applicable county general and specific plans because no improvements are required / required improvements will be completed consistent with county ordinance and conditions of approval and the design of the parcels meets applicable policies of the general plan and ordinances.
- E. The site is physically suitable for the type of development proposed because the proposed parcels contain adequate area for development of single family residences and accessory structures.
- F. The site is physically suitable for the proposed density of the development proposed because the site can adequately support a primary and secondary dwelling and accessory structures.
- G. The design of the subdivision or the proposed improvements will not cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat because the project is of limited size and scope and not located near any significant fish or wildlife habitat areas.
- H. The design of the subdivision or the type of improvement will not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision.
- I. The proposed map complies with Section 66474.6 of the State Subdivision Map Act, as to methods of handling and discharge of waste.

*Road Improvements*

- J. In the interest of the public health and safety, and as a necessary pre-requisite to the orderly development of the surrounding area, the construction of any road improvements shall occur prior to recordation of the parcel map or, if bonded for, within one year after recordation of the parcel map and prior to issuance of a permit or other grant of approval for development on a parcel.

**EXHIBIT B**

CONDITIONS OF APPROVAL FOR PARCEL MAP CO 04-0513 (ASMUSSEN)

**Approved Project**

1. A vesting tentative parcel map to subdivide an existing 14 acre parcel into two parcels of 6.35 acres and 7.62 acres each for the purpose of sale and/or development.

**Access and Improvements**

2. Roads and/or streets to be constructed to the following standards:
  - a. Westwind Way constructed to an A-7(c) section within a 60-foot dedicated right-of-way fronting the property.
  - b. Dawn Road widened to complete an A-1 section fronting the property.
  - c. A detached trail along Westwind Way according to the County's A-1(x) standard.
3. The applicant offer for dedication to the public by certificate on the map or by separate document:
  - a. The 60 foot road easement as shown on the tentative parcel map with a 20 foot radius property line return at the intersection of Westwind Way and Dawn Road.

**Improvement Plans**

4. Improvement plans shall be prepared in accordance with San Luis Obispo County Improvement Standards and Specifications by a Registered Civil Engineer and submitted to the Department of Public Works and the county Health Department for approval. The plan is to include:
  - a. Street plan and profile.
  - b. Drainage ditches, culverts, and other structures (if drainage calculations require).
  - c. Grading and erosion control plan for subdivision related improvement locations.
  - d. Public utility plan, showing all existing utilities and installation of all utilities to serve every lot.
  - e. Trail plan, to be approved jointly with the Park Division.
5. The applicant shall enter into an agreement with the county for the cost of checking the map, the improvement plans if any, and the cost of inspection of any such improvements by the county or its designated representative. The applicant shall also provide the county with an Engineer of Work Agreement retaining a Registered Civil Engineer to furnish construction phase services, Record Drawings and to certify the final product to the Department of Public Works.
6. The Registered Civil Engineer, upon completion of the improvements, must certify to the Department of Public Works that the improvements are made in accordance with all conditions of approval, including any related land use permit conditions and the approved improvement plans. All public improvements shall be completed prior to occupancy of any new structure.

### Drainage

7. Submit complete drainage calculations to the Department of Public Works for review and approval.
8. If calculations so indicate, drainage must be retained in a drainage basin on the property. The design of the basin to be approved by the Department of Public Works, in accordance with county standards.
9. If a drainage basin is required, the drainage basin along with rights of ingress and egress be:
  - a. offered for dedication to the public by certificate on the map with an additional easement reserved in favor of the owners and assigns.

### Utilities

10. Electric and telephone lines shall be installed underground or overhead.

### Fire Protection

11. The applicant shall obtain a fire safety clearance letter from the California Department of Forestry (CDF)/County Fire Department establishing fire safety requirements **prior to filing the final parcel or tract map.**

### Parks and Recreation (Quimby) Fees

12. Unless exempted by Chapter 21.09 of the county Real Property Division Ordinance or California Government Code section 66477, **prior to filing of the final parcel or tract map**, the applicant shall pay the in-lieu" fee that will be used for community park and recreational purposes as required by Chapter 21.09. The fee shall be based on the total number of new parcels or remainder parcels shown on the map that do not already have legal residential units on them.

### Affordable Housing Fee

13. **Prior to filing the final parcel or tract map**, the applicant shall pay an affordable housing fee of 3.5 percent of the adopted public facility fee effective at the time of recording for each residential lot. This fee shall not be applicable to any official recognized affordable housing included within the residential project.

### Additional Map Sheet

14. The applicant shall prepare an additional map sheet to be approved by the county Department of Planning and Building and the Department of Public Works. The additional map sheet **shall be recorded with the final parcel or tract map.** The additional map sheet shall include the following:
  - a. If improvements are bonded for, all public improvements (roads, drainage, and utilities) shall be completed prior to occupancy of any new structure.

- b. The applicant shall provide a supplemental disclosure to purchasers of these properties concerning the nature of the neighboring agricultural activities, hours of operation, and the County's Right-to-Farm Ordinance.
- c. **Prior to commencement of tree removal**, and grading and construction activities, to avoid conflicts with nesting birds, construction activities shall not be allowed during the nesting season (March through August), unless a county-approved, qualified biologist has surveyed the impact zone and determined that no nesting activities will be adversely impacted. At such time, if any evidence of nesting activities are found, the biologist will determine if any construction activities can occur during the nesting period and to what extent. The results of the surveys will be passed immediately to the County (Environmental Division), possibly with recommendations for variable buffer zones, as needed, around individual nests. The applicant agrees to incorporate those recommendations approved by the county.
- d. **Prior to issuance of building permits**, construction plans must include indoor water conservation measures including: low water-use toilets, showerheads, and faucets; automatic shut-off devices for bathroom and kitchen faucets; and point-of-use supplemental water heater systems or circulating hot water systems in bathrooms and kitchen. Landscape plans for the proposed parcels must include outdoor conservation measures including: limited landscape area, low water-use plant materials, limited turf area, soil moisture sensors, and drip irrigation systems.
- e. **Prior to final inspection of building permits**, for structures where the pipe from the hot water heater to any faucet is greater than 20 feet in length, apply one or more of the following: 1) install a hot water pipe circulating system for entire structure; 2) install "point-of-use" water heater "boosters" near all hot water faucets (that are greater than 20 linear pipe feet from water heater), or 3) use the narrowest pipe possible (e.g., from 1" to ½" diameter). **Prior to permit issuance**, the measure(s) to be used shall be shown on all applicable plumbing plans.

#### **Covenants, Conditions and Restrictions**

- 15. The developer shall submit proposed covenants, conditions, and restrictions for the subdivision to the county Department of Planning and Building for review and approval. The CC&R's shall provide at a minimum the following provisions:
  - a. Maintenance of all local streets within the subdivision until acceptance by a public agency.
  - b. The applicant shall provide a supplemental disclosure to purchasers of these properties concerning the nature of the neighboring agricultural activities, hours of operation, and the County's Right-to-Farm Ordinance.
  - c. **Prior to commencement of tree removal**, and grading and construction activities, to avoid conflicts with nesting birds, construction activities shall not be allowed during the nesting season (March through August), unless a county-approved, qualified biologist has surveyed the impact zone and determined that no nesting activities will be adversely impacted. At such time, if any evidence of nesting activities are found, the biologist will determine if any construction activities can occur during the nesting period and to what extent. The results of the surveys will be passed immediately to the County (Environmental Division), possibly with recommendations for variable buffer zones, as needed, around



- individual nests. The applicant agrees to incorporate those recommendations approved by the county.
- d. **Prior to issuance of building permits**, construction plans must include indoor water conservation measures including: low water-use toilets, showerheads, and faucets; automatic shut-off devices for bathroom and kitchen faucets; and point-of-use supplemental water heater systems or circulating hot water systems in bathrooms and kitchen. Landscape plans for the proposed parcels must include outdoor conservation measures including: limited landscape area, low water-use plant materials, limited turf area, soil moisture sensors, and drip irrigation systems.
  - e. **Prior to final inspection of building permits**, for structures where the pipe from the hot water heater to any faucet is greater than 20 feet in length, apply one or more of the following: 1) install a hot water pipe circulating system for entire structure; 2) install "point-of-use" water heater "boosters" near all hot water faucets (that are greater than 20 linear pipe feet from water heater), or 3) use the narrowest pipe possible (e.g., from 1" to ½" diameter). **Prior to permit issuance**, the measure(s) to be used shall be shown on all applicable plumbing plans.

#### **Miscellaneous**

- 16. This subdivision is also subject to the standard conditions of approval for all subdivisions using individual wells and septic tanks, a copy of which is attached hereto and incorporated by reference herein as though set forth in full.
- 17. All timeframes on approved tentative maps for filing of final parcel or tract maps are measured from the date the Review Authority approves the tentative map, not from any date of possible reconsideration action.

STANDARD CONDITIONS OF APPROVAL FOR SUBDIVISIONS  
USING INDIVIDUAL WELLS AND SEPTIC TANKS

1. Each parcel shall have its own private well(s) for a domestic water supply approved by the county Health Department, except as set forth in 2C.
2. Operable water facilities shall exist prior to the filing of the final parcel map. Evidence of adequate and potable water, shall be submitted to the county Health Department, including the following:
  - A. (Potability) A complete on-site chemical analysis shall be submitted for evaluation for each of the parcels created or as required.
  - B. (Adequacy) On individual parcel wells or test holes, a minimum four (4) hour pump test performed by a licensed and bonded well driller or pump testing business shall be submitted for review and approval for each of the new parcels created.
  - C. If the applicant desires purveying water to two (2) or more parcels or an average of 25 or more residents or non-residents (employees, campers, etc.) on a daily basis at least sixty (60) days out of the year, application shall be made to the county Health Department for a domestic water supply permit prior to the filing of the final map. A bond may be used for operable water facilities (except well(s)). Necessary legal agreements, restrictions and registered civil engineer designed plans, in conformance with state and county laws and standards shall be submitted by the applicant and reviewed and approved by County Public Works and the county Health Department, prior to the filing of the final map.
3. On-site systems that are in conformance with the county-approved Central Coast Regional Water Quality Control Board basin plan will be an acceptable method of sewage disposal until community sewers may become available.
4. No sewage disposal system installations are to be placed closer than 100 feet from the top of any perennial or continuous creek banks, drainage swales or areas subject to inundation.
5. Sewage disposal systems shall be separated from any individual domestic well and/or agricultural well, as follows: 1) leaching areas, feed lots, etc., one hundred (100) feet and bored seepage pits (dry wells), one hundred and fifty (150) feet. Domestic wells intended to serve multiple parcels or 25 or more individuals at least 60 days out of the year shall be separated by a minimum of two hundred (200) feet from a leachfield, two hundred and fifty (250) feet from seepage pits or dry wells.
6. Sewage disposal systems installed on slopes in excess of 20% shall be designed and certified by a registered civil engineer or geologist and submitted to the county Planning Department for review and approval prior to the issuance of a building permit. Consultants shall determine geologically stable building sites and sewage disposal for

each parcel, including evaluations of hillside stability under the most adverse conditions including rock saturation and seismic forces. Slopes in excess of 30% are not considered suitable or practical for subsurface sewage disposal.

7. An encroachment permit shall be obtained from county Public Works for any work to be done within the county right-of-way.
8. An encroachment permit shall be obtained from the California Department of Transportation for any work to be done on the state highway.
9. Any existing reservoir or drainage swale on the property shall be delineated on the map.
10. Prior to submission of the map "checkprints" to county Public Works, the project shall be reviewed by all applicable public utility companies and a letter be obtained indicating required easements.
11. Required public utility easements shall be shown on the map.
12. Approved street names shall be shown on the map.
13. The applicant shall comply with state, county and district laws/ordinances applicable to fire protection and consider increased fire risk to area by the subdivision of land proposed.
14. The developer shall submit a preliminary subdivision guarantee to county Public Works for review prior to the filing of the map.
15. Any private easements on the property shall be shown on the map with recording data.
16. All conditions of approval herein specified, unless otherwise noted, shall be complied with prior to the filing of the map.
17. After approval by the Review Authority, compliance with the preceding conditions will bring the proposed subdivision in conformance with the Subdivision Map Act and county ordinances.
18. A map shall be filed in accordance with Subdivision Map Act and county ordinance prior to sale, lease, or financing of the lots proposed by the subdivision.
19. A tentative map will expire 24 months from the effective date of the approval. Tentative maps may be extended. Written requests with appropriate fees must be submitted to the Planning Department prior to the expiration date. The expiration of tentative maps will terminate all proceedings on the matter.

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**COUNTY OF SAN LUIS OBISPO**  
**MITIGATED NEGATIVE DECLARATION & NOTICE OF DETERMINATION**

FOR OFFICIAL USE ONLY (SF)

**ENVIRONMENTAL DETERMINATION NO. ED04-088**

**DATE: October 20, 2005**

**PROJECT/ENTITLEMENT:** Asmussen Parcel Map SUB2003-00328 CO04-0153

**APPLICANT NAME:** Fred Asmussen

**ADDRESS:** 1225 Dawn Road, Nipomo, CA, 93444

**CONTACT PERSON:** Jim McGillis

**Telephone:** 805-714-7046

**PROPOSED USES/INTENT:** Request to subdivide one 14-acre parcel into two parcels 6.35 and 7.62 acres each for the sale and/or development of each parcel.

**LOCATION:** On the southwest corner of Westwind Way and Dawn Road, approximately 0.3 mile north of Camino Caballo, in the community of Nipomo, in the South County (Inland) planning area.

**LEAD AGENCY:** County of San Luis Obispo Department of Planning & Building  
County Government Center, Rm. 310  
San Luis Obispo, CA 93408-2040

**OTHER POTENTIAL PERMITTING AGENCIES:** Environmental Health

**ADDITIONAL INFORMATION:** Additional information pertaining to this environmental determination may be obtained by contacting the above Lead Agency address or (805) 781-5600.

**COUNTY "REQUEST FOR REVIEW" PERIOD ENDS AT .....5 p.m. on**

**20-DAY PUBLIC REVIEW PERIOD begins at the time of public notification**

**Notice of Determination**

**State Clearinghouse No.** \_\_\_\_\_

This is to advise that the San Luis Obispo County \_\_\_\_\_ as ☐ *Lead Agency*  
☐ *Responsible Agency* approved/denied the above described project on \_\_\_\_\_, and has made the following determinations regarding the above described project:

The project will not have a significant effect on the environment. A Negative Declaration was prepared for this project pursuant to the provisions of CEQA. Mitigation measures were made a condition of the approval of the project. A Statement of Overriding Considerations was not adopted for this project. Findings were made pursuant to the provisions of CEQA.

This is to certify that the Negative Declaration with comments and responses and record of project approval is available to the General Public at:

Department of Planning and Building, County of San Luis Obispo,  
County Government Center, Room 310, San Luis Obispo, CA 93408-2040

County of San Luis Obispo

Signature	Project Manager Name	Date	Public Agency
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**CALIFORNIA DEPARTMENT OF FISH AND GAME  
CERTIFICATE OF FEE EXEMPTION**

De Minimis Impact Finding

**PROJECT TITLE & NUMBER:** Asmussen Parcel Map; SUB2003-00328

**Project Applicant**

Name:	<u>Fred Asmussen</u>
Address:	<u>1225 Dawn Road</u>
City, State, Zip Code:	<u>Nipomo, CA 93444</u>
Telephone #:	<u>805-714-7046</u>

**PROJECT DESCRIPTION/LOCATION:** See attached Notice of Determination

**FINDINGS OF EXEMPTION:**

There is no evidence before this agency that the proposed project has the potential for adverse effect on wildlife resources for one or more of the following reason(s):

- ( ) The project is located in an urbanized area that does not contain substantial fish or wildlife resources or their habitat.
- (X) The project is located in a highly disturbed area that does not contain substantial fish or wildlife resources or their habitat.
- ( ) The project is of a limited size and scope and is not located in close proximity to significant wildlife habitat.
- ( ) The applicable filing fees have/will be collected at the time of issuance of other County approvals for this project. Reference Document Name and No. \_\_\_\_\_
- ( ) Other: \_\_\_\_\_

**CERTIFICATION:**

I hereby certify that the lead agency has made the above findings of fact and that, based upon the initial study and the hearing record, the project will not individually or cumulatively have an adverse effect on wildlife resources, as defined in Section 711.2 of the Fish and Game Code.

  
\_\_\_\_\_  
Ellen Carroll, Environmental Coordinator  
County of San Luis Obispo

Date: 09/12/05

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# **COUNTY OF SAN LUIS OBISPO INITIAL STUDY SUMMARY - ENVIRONMENTAL CHECKLIST**

**Project Title & No.** Asmussen Parcel Map; SUB2003-00328

**ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:** The proposed project could have a "Potentially Significant Impact" for at least one of the environmental factors checked below. Please refer to the attached pages for discussion on mitigation measures or project revisions to either reduce these impacts to less than significant levels or require further study.

<input type="checkbox"/> Aesthetics	<input checked="" type="checkbox"/> Geology and Soils	<input checked="" type="checkbox"/> Recreation
<input checked="" type="checkbox"/> Agricultural Resources	<input type="checkbox"/> Hazards/Hazardous Materials	<input checked="" type="checkbox"/> Transportation/Circulation
<input checked="" type="checkbox"/> Air Quality	<input type="checkbox"/> Noise	<input type="checkbox"/> Wastewater
<input checked="" type="checkbox"/> Biological Resources	<input type="checkbox"/> Population/Housing	<input checked="" type="checkbox"/> Water
<input type="checkbox"/> Cultural Resources	<input checked="" type="checkbox"/> Public Services/Utilities	<input type="checkbox"/> Land Use

**DETERMINATION:** (To be completed by the Lead Agency)

On the basis of this initial evaluation, the Environmental Coordinator finds that:

- ☐ The proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- ☒ Although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- ☐ The proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- ☐ The proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- ☐ Although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

MORRIS GROUP, INC.  
Prepared by (Print)

*[Signature]*  
Signature

09/12/05  
Date

John McKenzie  
Reviewed by (Print)

*[Signature]* • Ellen Carroll,  
Environmental Coordinator  
(for)

9/19/05  
Date

**Project Environmental Analysis**

The County's environmental review process incorporates all of the requirements for completing the Initial Study as required by the California Environmental Quality Act (CEQA) and the CEQA Guidelines. The Initial Study includes staff's on-site inspection of the project site and surroundings and a detailed review of the information in the file for the project. In addition, available background information is reviewed for each project. Information regarding soil types and characteristics, geologic information, significant vegetation and/or wildlife resources, water availability, wastewater disposal services, existing land uses and surrounding land use categories, and other information relevant to the environmental review process are evaluated for each project. Exhibit A includes the references used, as well as the agencies or groups that were contacted as a part of the Initial Study. The Environmental Division uses the checklist to summarize the results of the research accomplished during the initial environmental review of the project.

Persons, agencies or organizations interested in obtaining more information regarding the environmental review process for a project should contact the County of San Luis Obispo Environmental Division, Rm. 310, County Government Center, San Luis Obispo, CA, 93408-2040 or call (805) 781-5600.

**A. PROJECT**

**DESCRIPTION:** Request by Fred Asmussen for a Parcel Map (SUB2003-00328) to subdivide a 14-acre parcel into two parcels 6.35 acres and 7.62 acres each for the sale and/or development of each parcel. There are two existing access roads on the project site, one extending from Dawn Road to the proposed western parcel and a second access road extending from Westwind Way to the proposed eastern parcel. The project site is located on the southwestern corner of Westwind Way and Dawn Road (at 1225 Dawn Road), approximately 0.3 mile north of Camino Caballo, in the community of Nipomo, in the South County (Inland) planning area (refer to Figures 1 through 3).

ASSESSOR PARCEL NUMBER: 091-232-022

SUPERVISORIAL DISTRICT # 4

**B. EXISTING SETTING**

PLANNING AREA: South County (Inland)

LAND USE CATEGORY: Residential Rural

COMBINING DESIGNATION(S): None applicable

EXISTING USES: Two mobile homes and storage shed

TOPOGRAPHY: Level to moderately sloping

VEGETATION: Ruderal vegetation, non-native annual grasses, eucalyptus

PARCEL SIZE: 14 acres

SURROUNDING LAND USE CATEGORIES AND USES:

<i>North:</i> Residential Rural/ residences	<i>East:</i> Residential Rural/ residences and greenhouses
<i>South:</i> Residential Rural/ residences and greenhouses	<i>West:</i> Residential Rural/ residences

## C. ENVIRONMENTAL ANALYSIS

During the Initial Study process, several issues were identified as having potentially significant environmental effects (see following Initial Study). Those potentially significant items associated with the proposed uses can be minimized to less than significant levels.

### COUNTY OF SAN LUIS OBISPO INITIAL STUDY CHECKLIST

1. AESTHETICS - <i>Will the project:</i>	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Create an aesthetically incompatible site open to public view?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Introduce a use within a scenic view open to public view?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Change the visual character of an area?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Create glare or night lighting which may affect surrounding areas?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Impact unique geological or physical features?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) <i>Other _____</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Setting.** The proposed project site is located on the western side of Westwind Way and south of Dawn Road (at 1225 Dawn Road), approximately 0.3 miles north of Camino Caballo, in the community of Nipomo (refer to Figures 1 through 3). The project site consists of level to moderately sloping topography supporting ruderal vegetation, non-native annual grasses, and blue gum eucalyptus. The topography is relatively level over most of the project site, and moderately slopes down toward Dawn Road at the north perimeter and Westwind Way at the east perimeter of the project site. Surrounding land uses include scattered single-family residences and greenhouses. Two mobile homes are located on the project site. Both are visible from Dawn Road and Westwind Way, two-lane local roads that provide access to landowners and residents in the immediate area.

**Impact.** The applicant is not proposing any new improvements or development on proposed Lot 1. The applicant proposes to remove the existing mobile home on proposed Lot 2 and construct a new single-family residence.

Future development on the proposed project site would be visible from both Dawn Road and Westwind Way. Based on the visibility of existing mobile homes on the project site, any proposed development would likely silhouette as seen from the eastbound and westbound travel lanes of Dawn Road for approximately 0.2 mile. The visibility of the structures would be outside of the primary cone of vision, and the existing eucalyptus trees on the project site adjacent to Dawn Road would partially obscure future development on the project site. Based on the presence of existing development in the area, implementation of the proposed project would not result in a change in visual character or result in any significant visual impacts.



**Mitigation/Conclusion.** Based on the location of the proposed project, and visual character of the surrounding area, visual impacts would be less than significant and no mitigation measures are required.

## 2. AGRICULTURAL RESOURCES

- *Will the project:*

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Convert prime agricultural land to non-agricultural use?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Impair agricultural use of other property or result in conversion to other uses?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) <i>Conflict with existing zoning or Williamson Act program?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Other _____</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Setting** The proposed project site is located within the Residential Rural land use category. The project site is not currently under agricultural production. Greenhouses and nursery growing grounds are located approximately 150 feet to the east and southeast of the project site. Several mature trees and a road separate the properties. The soil type mapped for the project site by the Natural Resources Conservation Service (NRCS) Soil Survey is Oceano sand, 0 to 9 percent slopes (Class IVe-1, irrigated, and Class VIe, nonirrigated).

**Impact.** The proposed project was referred to the County of San Luis Obispo Department of Agriculture for review. The Department of Agriculture determined that, based on the distance between the adjacent agricultural land use and the project site, an agricultural buffer is not necessary; however, future property owners must be notified of agricultural activities in the area (Lynda L. Auchinachie; August 2, 2004).

**Mitigation/Conclusion.** The applicant has agreed to provide supplemental disclosure to purchasers of the properties concerning the nature of the neighboring agricultural activities, hours of operations, and the County's Right-to-Farm Ordinance. Implementation of this measure would mitigate potential agricultural impacts to less than significant.

## 3. AIR QUALITY - *Will the project:*

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Violate any state or federal ambient air quality standard, or exceed air quality emission thresholds as established by County Air Pollution Control District?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) <i>Expose any sensitive receptor to substantial air pollutant concentrations?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Create or subject individuals to objectionable odors?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

3. AIR QUALITY - Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
d) <i>Be inconsistent with the District's Clean Air Plan?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Other</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Setting.** Based on the latest air monitoring station information (per the County's RMS annual report, 2004), the trend in air quality in the general area is declining, where unacceptable PM10 levels were exceeded in 2003 at the Nipomo monitoring station four times out of 60 monitoring days, which is up from the previous year (two exceedances).

The Air Pollution Control District (APCD) estimates that automobiles currently generate about 40% of the pollutants responsible for ozone formation. Nitrous oxides (NOx) and reactive organic gasses (ROG) pollutants (vehicle emission components) are common contributors towards this chemical transformation into ozone. Dust, or particulate matter less than ten microns (PM10) that become airborne and which find their way into the lower atmosphere, can act as the catalyst in this chemical transformation to harmful ozone. In part, the land use controls currently in place for new development relating to ROG and NOx (i.e., application of the CEQA Air Quality Handbook) have helped reduce the formation of ozone.

**Impact.** Implementation of the proposed project would result in the future development of up to two additional residences. Based on Table 1-1 of the CEQA Air Quality Handbook, the project will generate less than 10 lbs/day of emissions, which is below the threshold warranting any mitigation.

The Clean Air Plan includes land use management strategies to guide decision makers on land use approaches that result in improved air quality. This development is somewhat inconsistent with the "Planning Compact Communities" strategy, where increasing development densities within urban areas is preferable over increasing densities in rural areas. Increasing densities in rural areas results in longer single-occupant vehicle trips and increases emissions. Given the small number of potential new residences, individually the impact would be less than significant.

In 1994, the South County Area Plan was adopted and associated EIR certified. As a part of that analysis, a cumulative assessment of the build out impacts of the planning area was completed, which included the ultimate breakdown of the subject property as is currently proposed. While cumulative impacts to air quality were identified in the EIR as potentially significant and unavoidable, the findings recognized that the existing cumulative air quality mitigation program, combined with a slight improvement over the previous Area Plan build out, would offset some of these impacts.

**Mitigation/Conclusion.** Each new residence will be subject to the South County Air Quality Mitigation fee, which is intended to partially mitigate the cumulative effects of new residential development within the South County planning area. This program funds several strategies within the South County to improve air quality and reduce single-occupant vehicles, by: attracting transit ridership through regional bus stop improvements; encouraging carpooling through park-and-ride lot improvements and ridesharing advertising; promoting the use of bicycles through bike lane installation; reducing dust through limited road paving of several unpaved roads; and by providing electronic information/services locally to reduce vehicle trip lengths. No additional mitigation measures are necessary.

4. BIOLOGICAL RESOURCES - Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Result in a loss of unique or special status species or their habitats?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Reduce the extent, diversity or quality of native or other important vegetation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Impact wetland or riparian habitat?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Introduce barriers to movement of resident or migratory fish or wildlife species, or factors which could hinder the normal activities of wildlife?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Other _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Setting.** The proposed project site is located on the Nipomo Mesa in a residential and agricultural setting. The site supports mostly ruderal vegetation, with some non-native annual grassland and blue gum eucalyptus. Existing development includes two access roads and two mobile homes.

**Special Status Species.** The California Natural Diversity Database (2004) identified several special-status plant and wildlife species as occurring in the vicinity of the project site. The only plant species with potential habitat conditions in or near the project site is Pismo clarkia (*Clarkia speciosa* ssp. *immaculata*). Blue gum eucalyptus trees (*Eucalyptus globulus*) on the project site may provide potential nesting and roosting habitat for sharp-shinned hawk (*Accipiter striatus*) and other nesting birds, and significant groves in wind-protected areas can provide over-wintering habitat for monarch butterfly (*Danaus plexippus*).

#### Pismo Clarkia

Pismo clarkia is a Federal Endangered, State Rare, and CNPS List 1B (rare, threatened, or endangered in California and elsewhere) annual herb occurring on sandy soils in chaparral margins and openings, cismontane woodland, and valley and foothill grassland. This species blooms from May to July. Disturbed annual grassland habitat occurs on the project site. The applicant submitted a botanical survey report prepared by Mike McGovern (June 2005). A comprehensive floristic botanical survey was conducted on June 2, 2005. No Pismo clarkia or other special-status plant species were discovered on the project site during floristic surveys (Mike McGovern; 2005).

#### Monarch Butterfly

The monarch butterfly is considered rare under CEQA Guidelines Section 15380 because of declining availability of winter roosting habitat. Monarchs from west of the Rocky Mountains spend the winter along the California coast. Overwintering sites occur in dense, wind-protected tree groves with eucalyptus (*Eucalyptus* spp.), Monterey pine (*Pinus radiata*), and/or Monterey cypress (*Cupressus macrocarpa*) near the coast from northern Mendocino to Baja California (CNDDDB, 2004). Blue gum eucalyptus (*Eucalyptus globulus*) occurs on the project site.

Sharp-shinned Hawk

The sharp-shinned hawk is a California Special Concern species. This species typically nests in pine, oak, riparian deciduous, and mixed conifer habitats, preferring riparian areas. A recent CNDDDB occurrence record indicates the species has been observed nesting in eucalyptus trees on Nipomo Mesa (CNDDDB, 2004). Eucalyptus tree habitat occurs on the project site.

In addition to the special-status species discussed above, eucalyptus on the project site may provide potential nesting habitat for other bird species. Nesting birds are protected under Section 3503 of the State Fish and Game Code.

**Impact.**

Special-status Species. The project site was surveyed for botanical resources on June 2, 2005 (Mike McGovern, Ph.D.; June 2, 2005). No Pismo clarkia or other special-status plant species were discovered on the project site during floristic surveys.

The CNDDDB indicates that the nearest monarch butterfly over-wintering site is at the junction of Highway 1 and Willow Road, approximately two miles northwest of the project site. The project site shows no evidence indicating that monarch butterflies use the small windrow of eucalyptus trees on-site for over-wintering. Due to the small project size, the considerable distance to the nearest known over-wintering site, and the fact that the eucalyptus trees constitute a windrow rather than a woodland, no monarch butterfly survey is required for the project and no monarch butterfly mitigation measures are required (Julie Eliason, County of San Luis Obispo, pers. comm., July 21, 2005).

Any future grading or development near eucalyptus trees on-site could impact nesting sharp-shinned hawk and/or other nesting birds if grading or other development activities occur during the nesting season (March through August).

**Mitigation/Conclusion.** To avoid impacts to nesting birds, the applicant has agreed to retain a County-approved biologist to conduct a survey for nesting birds prior to initiation of site disturbance, if tree removal, grading or other development activities occur during the nesting season (March through August). This measure shall also be adopted as a condition of the parcel map to avoid impacts to nesting birds during future development of each proposed lot. Implementation of this measure would mitigate potential biological resource impacts to less than significant.

<b>5. CULTURAL RESOURCES -</b> <b><i>Will the project:</i></b>	<b>Potentially Significant</b>	<b>Impact can &amp; will be mitigated</b>	<b>Insignificant Impact</b>	<b>Not Applicable</b>
<b>a) Disturb pre-historic resources?</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>b) Disturb historic resources?</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>c) Disturb paleontological resources?</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>d) Other _____</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Setting/Impact.** The proposed project site is located in an area historically occupied by the Obispeño Chumash. Significant prehistoric and historic cultural resources are known to exist on Nipomo Mesa. On March 14, 2005, C.A. Singer and Associates, Inc conducted a Phase One archaeological surface survey and a records search on the proposed project site. The records search indicated that the nearest recorded site is approximately 0.8 mile from the project site. No evidence of prehistoric or early historic remains were located on the project site (C.A. Singer and Associates; March 15, 2005).

Based on the negative findings of the report, impacts to cultural resources are unlikely to occur as a result of the proposed project.

**Mitigation/Conclusion.** In the event subsurface archaeological resources are discovered during construction, the applicant is required to halt work pursuant to Section 22.10.040 of the County Land Use Ordinance. Based on the above discussion and anticipated absence of cultural materials, no additional mitigation measures are necessary.

<b>6. GEOLOGY AND SOILS - Will the project:</b>	<b>Potentially Significant</b>	<b>Impact can &amp; will be mitigated</b>	<b>Insignificant Impact</b>	<b>Not Applicable</b>
a) <i>Result in exposure to or production of unstable earth conditions, such as landslides, earthquakes, liquefaction, ground failure, land subsidence or other similar hazards?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Be within a CA Dept. of Mines &amp; Geology Earthquake Fault Zone (formerly Alquist Priolo)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Result in soil erosion, topographic changes, loss of topsoil or unstable soil conditions from project-related improvements, such as vegetation removal, grading, excavation, or fill?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) <i>Change rates of soil absorption, or amount or direction of surface runoff?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Include structures located on expansive soils?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) <i>Change the drainage patterns where substantial on- or off-site sedimentation/ erosion or flooding may occur?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) <i>Involve activities within the 100-year flood zone?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h) <i>Be inconsistent with the goals and policies of the County's Safety Element relating to Geologic and Seismic Hazards?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i) <i>Preclude the future extraction of valuable mineral resources?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
j) <i>Other _____</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Setting/Impact.**

Geology. The topography is relatively level over most of the project site, and moderately slopes down toward Dawn Road at the north perimeter and Westwind Way at the east perimeter. The area proposed for development is outside of the Geologic Study Area designation. The landslide risk potential is considered low and the liquefaction potential during a ground-shaking event is considered moderate. No active faulting is known to exist on or near the proposed project site. The project is not within a known area containing serpentine or ultramafic rock or soils.

Sedimentation and Erosion. The soil type mapped on the project site is Oceano sand, 0 to 9 percent slopes. As described in the NRCS Soil Survey, the soil surface is considered to have slight to moderate erodability and low shrink-swell characteristics.

Existing access roads extend from Westwind Way to the proposed eastern parcel subdivision and another extending from Dawn Road to the proposed western parcel subdivision. The northern and eastern portions of the project site moderately slope down toward Dawn Road and Westwind Way. Some down-gradient sedimentation caused by soil erosion has occurred along the northern portion of the project site, accumulating in an unexcavated, earthen sediment basin that occurs at a low point between the slope and Dawn Road. Additional erosion and sedimentation may occur during future grading activities, resulting in a potentially significant impact.

Pursuant to Section 22.52.090 of the County Land Use Ordinance, a sedimentation and erosion control plan would address both temporary and long-term sedimentation and erosion impacts. In addition, projects involving more than one acre (43,560 sq. ft.) of disturbance are subject to the preparation of a Storm Water Pollution Prevention Plan (SWPPP), which focuses on controlling storm water runoff. The Regional Water Quality Control Board is the local extension that monitors this program.

Drainage. The project site is outside the 100-year Flood Hazard designation. The nearest drainage is approximately 1.5 miles to the northwest in Black Lake Canyon. As described in the NRCS Soil Survey, Oceano sand is considered excessively drained. During a rain event, drainage tends to flow to low points along the northern and eastern boundary of the project site. These low areas appear to serve as retention basins. No specific measures above what will already be required by ordinance or code are considered necessary.

**Mitigation/Conclusion.** Implementation of the sedimentation and erosion control plan required per the County Land Use Ordinance would reduce potential impacts to less than significant, and no additional mitigation measures are required.

7. HAZARDS & HAZARDOUS MATERIALS - <i>Will the project:</i>	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Result in a risk of explosion or release of hazardous substances (e.g. oil, pesticides, chemicals, radiation) or exposure of people to hazardous substances?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Interfere with an emergency response or evacuation plan?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Expose people to safety risk associated with airport flight pattern?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

7. HAZARDS & HAZARDOUS MATERIALS - Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
d) <i>Increase fire hazard risk or expose people or structures to high fire hazard conditions?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Create any other health hazard or potential hazard?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) <i>Other</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Setting.** The project site supports two mobile homes. Surrounding land uses include single-family residences and greenhouses. The project site is not located in an area of known hazardous material contamination or an Airport Review area. Fuel storage tanks were previously located on the project site, but have since been removed. The project site is within a high severity risk area for fire.

**Impact.** The proposed project is located within an area of severe fire hazard and is subject to regulations enforced by the California Department of Forestry/County Fire Department (CDF). The applicant is required to obtain a Fire Safety Plan from CDF prior to future development. Measures included in the plan would consist of emergency vehicle access requirements, access to a water source, use of fire resistant roof materials, flammable vegetation clearance, and installation of fire protection systems. CDF would inspect all fire safety measures prior to construction and prior to operation, as applicable. The project does not include the use of hazardous material. The project is not expected to conflict with any regional evacuation plan.

**Mitigation/Conclusion.** Based on implementation of these required fire safety measures, in addition to compliance with the California Fire Code, Building Code, and Public Resources Code, potential fire safety impacts would be less than significant and no additional mitigation measures are required. No other potential significant hazards or hazardous materials were identified.

8. NOISE - Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Expose people to noise levels which exceed the County Noise Element thresholds?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Generate increases in the ambient noise levels for adjoining areas?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Expose people to severe noise or vibration?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Other</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Setting/Impact.** The proposed project site is located adjacent to Dawn Road and Westwind Way. These roads primarily serve local landowners and residents in the immediate area, and do not generate a significant level of transportation-related noise. Future residential development will contribute minimal noise to the surrounding area. The proposed project will not generate significant

stationary or transportation-related noise sources. The project site is located approximately 150 feet from nearby greenhouses, which generate noise in the area. Based on this distance, and Agricultural Commissioner's Office review and approval of the project (refer to Section 2, Agricultural Resources), future development on the project site would not be exposed to significant levels of noise.

**Mitigation/Conclusion.** No significant noise impacts are anticipated and no mitigation measures are necessary.

## 9. POPULATION/HOUSING -

*Will the project:*

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Induce substantial growth in an area either directly or indirectly (e.g., through projects in an undeveloped area or extension of major infrastructure)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Displace existing housing or people, requiring construction of replacement housing elsewhere?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Create the need for substantial new housing in the area?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Use substantial amount of fuel or energy?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Other</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Setting/Impact.** Implementation of the proposed parcel map would result in the construction of up to two additional residences (currently two mobile homes exist on the project site, and two secondary residences would be allowed if the subdivision is approved). The potential development of the residence would not result in use of a substantial amount of fuel or energy. In its efforts to provide for affordable housing, the County currently administers a Community Development Block Grant Program, which provides grants to projects relating to affordable housing throughout the county.

Title 18 of the County Code (Public Facilities Fees) requires that an affordable housing mitigation fee be imposed as a condition of approval of any new residential development project. Based on implementation of required fee programs, no population/housing impacts would occur.

**Mitigation/Conclusion.** Prior to map recordation, the applicant shall pay an affordable housing mitigation fee of 3.5 percent of the adopted Public Facility Fee. This fee will not apply to any county-recognized affordable housing included within the project. No additional mitigation measures are necessary.



**10. PUBLIC SERVICES/UTILITIES**

*- Will the project have an effect upon, or result in the need for new or altered public services in any of the following areas:*

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Fire protection?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Police protection (e.g., Sheriff, CHP)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Schools?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Roads?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Solid Wastes?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Other _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Setting/Impact.** The project area is served by the County Sheriff's Department and CDF/County Fire as the primary emergency responders. The closest CDF fire station is the Mesa Fire Station, approximately 1.5 miles from the project site. The closest Sheriff substation is in Oceano, approximately 8.9 miles from the proposed project site. The project site is located in the Lucia Mar Unified School District.

No significant project-specific impacts to utilities or public services were identified. This project, along with others in the area, will have a cumulative effect on police and fire protection, and schools. The project's direct and cumulative impacts are within the general assumptions of allowed use for the subject property that was used to estimate the fees in place. Public facilities fees will be used to mitigate impacts caused by new development projects within the County.

**Mitigation/Conclusion.** Regarding cumulative effects, public facility (county) and school (State Government Code 65995 et seq) fee programs have been adopted to address this impact and will reduce the cumulative impact to a level of insignificance.

**11. RECREATION - Will the project:**

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Increase the use or demand for parks or other recreation opportunities?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Affect the access to trails, parks or other recreation opportunities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Other _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Setting/Impact.** The County Trails Plan does not show a potential trail corridor on the proposed project. Local residents in the area currently use local roads as equestrian, pedestrian, and bicycle

paths. The proposed project was referred to the County Division of Parks for review. No significant project specific impacts were identified; however, this project, along with numerous others, will increase the cumulative demand for recreational facilities. In addition, the Parks Division requested construction of a detached trail to provide off-road recreational use for equestrians, pedestrians, and bicyclists in the immediate area.

**Mitigation/Conclusion.** To mitigate for cumulative impacts, the applicant is required to pay Quimby fees and establish a detached trail along Westwind Way (Jan Di Leo; July 6, 2004). Implementation of these measures would mitigate recreational resources impacts to less than significant.

<b>12. TRANSPORTATION/ CIRCULATION - Will the project:</b>		<b>Potentially Significant</b>	<b>Impact can &amp; will be mitigated</b>	<b>Insignificant Impact</b>	<b>Not Applicable</b>
a)	<i>Increase vehicle trips to local or areawide circulation system?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b)	<i>Reduce existing "Levels of Service" on public roadway(s)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c)	<i>Create unsafe conditions on public roadways (e.g., limited access, design features, sight distance, slow vehicles)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d)	<i>Provide for adequate emergency access?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e)	<i>Result in inadequate parking capacity?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f)	<i>Result in inadequate internal traffic circulation?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g)	<i>Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., pedestrian access, bus turnouts, bicycle racks, etc.)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h)	<i>Result in a change in air traffic patterns that may result in substantial safety risks?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i)	<i>Other _____</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Setting/Impact.** The project site is located at the southeastern corner of Dawn Road and Westwind Way, two-lane local roads that provide access to properties in the area. There are two existing mobile homes on the property. The applicant proposes to remove one mobile home and construct a single-family residence, which would likely generate a minimal amount of additional trips, up to approximately 9.6 trips per day (per residence). Referrals were sent to County of San Luis Obispo Public Works Department and Caltrans. No project specific traffic-related concerns were identified. Implementation of the proposed project may result in additional trips contributing to cumulative traffic impacts within the Nipomo region.

**Mitigation/Conclusion.** The proposed project is located within Area 1 of the South County Fee Area. Prior to issuance of permits for future land uses on the project site, the applicant would be required to contribute to the fee program. The fees contributed to this program finance road improvement projects in the Nipomo region. Implementation of this measure would mitigate potential impacts to less than significant, and no additional mitigation measures are required.

<b>13. WASTEWATER - Will the project:</b>	<b>Potentially Significant</b>	<b>Impact can &amp; will be mitigated</b>	<b>Insignificant Impact</b>	<b>Not Applicable</b>
a) <b><i>Violate waste discharge requirements or Central Coast Basin Plan criteria for wastewater systems?</i></b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <b><i>Change the quality of surface or ground water (e.g., nitrogen-loading, daylighting)?</i></b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <b><i>Adversely affect community wastewater service provider?</i></b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <b><i>Other</i></b> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Setting.** Based on the Natural Resource Conservation Service (NRCS) Soil Survey map, the soil type is Oceano sand, 0 to 9 percent slopes. For on-site septic systems, there are several key factors to consider for a system to operate successfully, including the soil's ability to percolate or "filter" effluent, the soil's depth and the slope on which the system is placed. To assure a successful system that meets the Central Coast Basin Plan, additional analysis or engineering is needed when one or more factors exist: the ability of the soil to "filter" effluent is either too fast (percolation rate is faster or less than 30 minutes per inch and has "poor filtering" characteristics) or is too slow (percolation rate is slower or more than 120 minutes per inch); the topography on which a system is placed is steep enough to potentially allow "daylighting" of effluent downslope; or the separation between the bottom of the leach line to bedrock or high groundwater is less than five feet.

Based on the NRCS Soil Survey, the main limitation of this soil for wastewater effluent is poor filtering characteristics. Due to the very permeable soil, without special engineering, larger separations will be required between the leach lines and the groundwater basin to provide adequate filtering of the effluent. To achieve compliance with the Central Coast Basin Plan, depth to groundwater information will need to be provided at the building permit stage.

**Impact.** The project proposes to use an on-site system as its means to dispose wastewater. The westernmost proposed lot includes a septic system and leachfield that service the occupied mobile home, and a separate septic system that is capable of servicing a motorhome/trailer, as necessary. The easternmost proposed lot includes a septic system and leachfield capable of servicing the mobile home on-site, although this mobile home is typically unoccupied. Based on the proposed plans, it appears that an adequate area is available for improvements to the existing on-site system (if necessary). The County Department of Environmental Health reviewed the proposed project, and determined that individual wastewater disposal systems are an acceptable method of disposal, provided County and State installation requirements can be met (Laurie Salo; April 9, 2004).

**Mitigation/Conclusion.** Pursuant to County Code, any leach lines shall be located at least 100 feet from any private well and at least 200 from any community/public well. Prior to building permit issuance, the septic system will be evaluated in greater detail to insure compliance with the Central Coast Basin Plan for any constraints listed above and consistency with Basin Plan criteria. No additional mitigation measures are required.

<b>14. WATER - Will the project:</b>	<b>Potentially Significant</b>	<b>Impact can &amp; will be mitigated</b>	<b>Insignificant Impact</b>	<b>Not Applicable</b>
a) <b>Violate any water quality standards?</b>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) <b>Discharge into surface waters or otherwise alter surface water quality (e.g., turbidity, temperature, dissolved oxygen, etc.)?</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <b>Change the quality of groundwater (e.g., saltwater intrusion, nitrogen-loading, etc.)?</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <b>Change the quantity or movement of available surface or ground water?</b>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) <b>Adversely affect community water service provider?</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) <b>Other</b> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

#### **Setting/Impact.**

Surface Water. The project site is gently to moderately sloping. The nearest drainage is approximately 1.5 miles to the northwest in Black Lake Canyon. If future grading activities associated with tract improvements would disturb over one acre of soil, a Storm Water Pollution Prevention Plan (SWPPP) would be required by the State Water Resources Control Board. The SWPPP is required in addition to the erosion and sedimentation control plan required by County Ordinance (refer to Section 6). Implementation of these measures would reduce potential water quality impacts to less than significant.

Water Usage. The proposed project would use existing on-site wells as its water source. There is one existing well located within the boundaries of each proposed lot, for a total of two wells. The subdivision would allow one primary and one secondary residence on each lot. Based on the project description, as shown below, reasonable "worst case" indoor water usage for two primary and 2 secondary dwellings would likely be 2.36 acre-feet/year (afy):

2 residential lots (w/ primary & secondary (or 0.85 afy + 0.33 afy) X 2 lots = 2.36 afy  
 Source: "City of Santa Barbara Water Demand Factor & Conservation Study 'User Guide'" (Aug., 1989)

The County of San Luis Obispo Environmental Health Division received on-site water well information, and this information is considered satisfactory preliminary evidence of a domestic water supply. Additional information, including well capacity and pump testing is required prior to recordation of the final map (Laurie Salo; April 9, 2004).

The project will be using water extracted from the Santa Maria groundwater basin, which is made up of three interconnected sub areas (Tri-Cities, Nipomo Mesa, Santa Maria). Based on the most recent

comprehensive study completed for this basin (State Department of Water Resources, "Water Resources of the Arroyo Grande-Nipomo Mesa Area", 2002), while extractions will increase above current levels over the next twenty years, the study concludes that "Supplies appear adequate to meet water demands through water year 2020". However, the study recognizes that there is a sizeable local pumping depression on the Nipomo Mesa that has changed the dynamics of flow between two sub areas (Santa Maria, Nipomo Mesa). The study warns that seawater intrusion could result from this existing pumping depression if water management practices are not changed in the future and this depression continues to grow. Also, due mainly to the absence of current evidence of seawater intrusion, DWR concludes that the basin is not in a state of overdraft. The report does recommend a number of measures to improve monitoring of the basin as well as increase the use of recycled water.

On November 2, 2004, the Board of Supervisors certified RMS Level of Severity 2 for water supply in the Nipomo Mesa area, defined as the area subject to the 2.3% growth limit, as depicted in the Growth Management Ordinance. Effective immediately, the County Flood Control and Water Conservation District will implement improved well-monitoring and water quality monitoring programs for this area. Also, this action included the requirement of water conservation measures to be applied to new development. Implementation of the proposed project would not result in project-specific significant impacts to the water supply, but would contribute to the cumulative demand for resources.

**Mitigation/Conclusion.** The applicant would be required to submit detailed water availability and quality data to Environmental Health prior to recordation of the map. Standard drainage and erosion control measures will be required for the proposed project and will provide sufficient measures to adequately protect surface water quality. To address cumulative impacts, construction plans for new development on the proposed parcels must include indoor and outdoor water conservation measures. Indoor water conservation measures would include: low water-use toilets, showerheads, and faucets; automatic shut-off devices for bathroom and kitchen faucets; and point-of-use supplemental water heater systems or circulating hot water systems in bathrooms and kitchen. Outdoor conservation measures include: limited landscape area, low water-use plant materials, limited turf area, soil moisture sensors, and drip irrigation systems. Based on implementation of these measures, impacts to water resources would be less than significant.

<b>15. LAND USE - Will the project:</b>	<b>Inconsistent</b>	<b>Potentially Inconsistent</b>	<b>Consistent</b>	<b>Not Applicable</b>
<b>a) Be potentially inconsistent with land use, policy/regulation (e.g., general plan [county land use element and ordinance], local coastal plan, specific plan, Clean Air Plan, etc.) adopted to avoid or mitigate for environmental effects?</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>b) Be potentially inconsistent with any habitat or community conservation plan?</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>c) Be potentially inconsistent with adopted agency environmental plans or policies with jurisdiction over the project?</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>d) Be potentially incompatible with surrounding land uses?</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

- 15. LAND USE - Will the project:**
- |                | Inconsistent             | Potentially Inconsistent | Consistent               | Not Applicable           |
|----------------|--------------------------|--------------------------|--------------------------|--------------------------|
| e) Other _____ | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

**Setting/Impact.** The proposed project was reviewed for consistency with policy and/or regulatory documents relating to the environment and appropriate land use (e.g., County Land Use Ordinance, South County Area Plan, etc.). Referrals were sent to outside agencies to review for policy consistencies (e.g., CDF for Fire Code, APCD for Clean Air Plan, etc.). The project was found to be consistent with these documents (refer also to Exhibit A on reference documents used).

The project is not located within or adjacent to a Habitat Conservation Plan area. The surrounding land uses consist of scattered single-family residences and agriculture. The proposed project is compatible with these surrounding uses because it is a subdivision of one approximately 14-acre parcel into two parcels approximately seven acres each, for residential development. The project site is located an adequate distance from nearby greenhouses to avoid significant land use conflicts.

**Mitigation/Conclusion.** No inconsistencies were identified; therefore, no mitigation measures above what will already be required were determined necessary.

- 16. MANDATORY FINDINGS OF SIGNIFICANCE - Will the project:**
- |  | Potentially Significant  | Impact can & will be mitigated      | Insignificant Impact                | Not Applicable           |
|--|--------------------------|-------------------------------------|-------------------------------------|--------------------------|
| a) <i>Have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?</i> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) <i>Have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)</i>  | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> |
| c) <i>Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?</i>  | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

For further information on CEQA or the county's environmental review process, please visit the County's web site at "www.sloplanning.org" under "Environmental Review", or the California Environmental Resources Evaluation System at "http://ceres.ca.gov/topic/env\_law/ceqa/guidelines/" for information about the California Environmental Quality Act.

**Exhibit A - Initial Study References and Agency Contacts**

The County Planning or Environmental Division has contacted various agencies for their comments on the proposed project. With respect to the subject application, the following have been contacted (marked with a ☒) and when a response was made, it is either attached or in the application file:

<b>Contacted</b>	<b>Agency</b>	<b>Response</b>
<input checked="" type="checkbox"/>	County Public Works Department	<b>Attached</b>
<input checked="" type="checkbox"/>	County Environmental Health Division	<b>Attached</b>
<input checked="" type="checkbox"/>	County Agricultural Commissioner's Office	<b>Attached</b>
<input checked="" type="checkbox"/>	County Parks and Recreation Division	<b>Attached</b>
<input type="checkbox"/>	County Assessor Department	<b>Not Applicable</b>
<input checked="" type="checkbox"/>	Air Pollution Control District	<b>No Response</b>
<input type="checkbox"/>	Regional Water Quality Control Board	<b>Not Applicable</b>
<input type="checkbox"/>	CA Department of Conservation	<b>Not Applicable</b>
<input type="checkbox"/>	CA Department of Fish and Game	<b>Not Applicable</b>
<input checked="" type="checkbox"/>	CA Department of Forestry	<b>No Response</b>
<input checked="" type="checkbox"/>	CA Department of Transportation	<b>No Response</b>

**\*\* "No comment" or "No concerns"-type responses are usually not attached**

The following checked ("☒") reference materials have been used in the environmental review for the proposed project and are hereby incorporated by reference into the Initial Study. The following information is available at the County Planning and Building Department.

☒ Project File for the Subject Application

**County documents**

- ☐ Airport Land Use Plans
- ☒ Annual Resource Summary Report
- ☐ Building and Construction Ordinance
- ☐ Coastal Policies
- ☒ Framework for Planning (Coastal & Inland)
- ☒ General Plan (Inland & Coastal), including all maps & elements; more pertinent elements considered include:
  - ☒ Agriculture & Open Space Element
  - ☒ Energy Element
  - ☒ Environment Plan (Conservation, Historic and Esthetic Elements)
  - ☒ Housing Element
  - ☒ Noise Element
  - ☒ Parks & Recreation Element
  - ☒ Safety Element
- ☒ Land Use Ordinance
- ☒ Real Property Division Ordinance
- ☒ Trails Plan
- ☐ Solid Waste Management Plan

☒ South County (Inland) Area Plan and Update EIR

☒ South County Circulation Study

**Other documents**

- ☒ Archaeological Resources Map
- ☒ Area of Critical Concerns Map
- ☒ Areas of Special Biological Importance Map
- ☒ California Natural Species Diversity Database
- ☒ Clean Air Plan
- ☒ Fire Hazard Severity Map
- ☒ Flood Hazard Maps
- ☒ Natural Resources Conservation Service Soil Survey for SLO County
- ☒ Regional Transportation Plan
- ☒ Uniform Fire Code
- ☒ Water Quality Control Plan (Central Coast Basin – Region 3)
- ☒ GIS mapping layers (e.g., habitat, streams, contours, etc.)
- ☐ Other

In addition, the following project specific information and/or reference materials have been considered as a part of the Initial Study:

C.A. Singer and Associates, Inc. March 15, 2005. *Cultural resources survey and impact assessment for a 15 acre property on Dawn Road on Nipomo Mesa, San Luis Obispo County, California (APN 091-232-007/008).*

McGovern, Mike. June 2, 2005. *Botanical survey for Mr. Fred Asmussen.*



## Exhibit B - Mitigation Summary Table

### Agricultural Resources

**AG-1 Prior to the sale of property**, the applicant shall provide a supplemental disclosure to purchasers of these properties concerning the nature of the neighboring agricultural activities, hours of operation, and the County's Right-to-Farm Ordinance.

### Biological Resources

**BR-1 Prior to commencement of tree removal, and grading and construction activities, to avoid conflicts with nesting birds, construction activities shall not be allowed during the nesting season (March through August)**, unless a county-approved, qualified biologist has surveyed the impact zone and determined that no nesting activities will be adversely impacted. At such time, if any evidence of nesting activities are found, the biologist will determine if any construction activities can occur during the nesting period and to what extent. The results of the surveys will be passed immediately to the County (Environmental Division), possibly with recommendations for variable buffer zones, as needed, around individual nests. The applicant agrees to incorporate those recommendations approved by the county.

### Recreation

**R-1 Prior to final inspection of parcel map improvements**, the applicant shall provide a detached trail along Westwind Way according to the County's A-1(X) standard.

### Water

**W-1 Prior to final map recordation**, comprehensive water data shall be submitted to County Environmental Health for review and approval. Data shall include all water well logs, pump tests, and complete water analysis for all proposed wells.

**W-2 Prior to issuance of building permits**, construction plans must include indoor water conservation measures including: low water-use toilets, showerheads, and faucets; automatic shut-off devices for bathroom and kitchen faucets; and point-of-use supplemental water heater systems or circulating hot water systems in bathrooms and kitchen. Landscape plans for the proposed parcels must include outdoor conservation measures including: limited landscape area, low water-use plant materials, limited turf area, soil moisture sensors, and drip irrigation systems.

**W-3 Prior to final inspection**, for structures where the pipe from the hot water heater to any faucet is greater than 20 feet in length, apply one or more of the following: 1) install a hot water pipe circulating system for entire structure; 2) install "point-of-use" water heater "boosters" near all hot water faucets (that are greater than 20 linear pipe feet from water heater), or 3) use the narrowest pipe possible (e.g., from 1" to ½" diameter). **Prior to permit issuance**, the measure(s) to be used shall be shown on all applicable plumbing plans.

**DEVELOPER'S STATEMENT FOR THE  
ASMUSSEN PARCEL MAP; SUB2003-00328**

The applicant agrees to incorporate the following measures into the project. These measures become a part to the project description and therefore become a part of the record of action upon which the environmental determination is based. All construction/grading activity must occur in strict compliance with the following mitigation measures. These measures shall be perpetual and run with the land. These measures are binding on all successors in interest of the subject property.

**Note:** The items contained in the boxes labeled "Monitoring" describe the County procedures to be used to ensure compliance with the mitigation measures.

**AGRICULTURAL RESOURCES**

**AG-1 Prior to the sale of property,** the applicant shall provide a supplemental disclosure to purchasers of these properties concerning the nature of the neighboring agricultural activities, hours of operation, and the County's Right-to-Farm Ordinance.

**Monitoring:** The Planning and Building Department shall verify compliance.

**BIOLOGICAL RESOURCES**

**BR-1 Prior to commencement of tree removal, and grading and construction activities,** to avoid conflicts with nesting birds, construction activities shall not be allowed during the nesting season (March through August), unless a county-approved, qualified biologist has surveyed the impact zone and determined that no nesting activities will be adversely impacted. At such time, if any evidence of nesting activities are found, the biologist will determine if any construction activities can occur during the nesting period and to what extent. The results of the surveys will be passed immediately to the County (Environmental Division), possibly with recommendations for variable buffer zones, as needed, around individual nests. The applicant agrees to incorporate those recommendations approved by the county.

**Monitoring:** The Planning and Building Department shall verify receipt of survey results, and implementation of any recommendations.

**RECREATION**

**R-1 Prior to final inspection of parcel map improvements,** the applicant shall provide a detached trail along Westwind Way according to the County's A-1(X) standard.

**Monitoring:** The Planning and Building Department shall verify compliance.

**WATER**

- W-1 Prior to final map recordation**, comprehensive water data shall be submitted to County Environmental Health for review and approval. Data shall include all water well logs, pump tests, and complete water analysis for all proposed wells.

**Monitoring:** The Planning and Building Department and Environmental Health Division shall verify receipt of comprehensive water data.

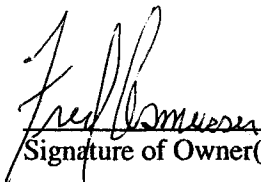
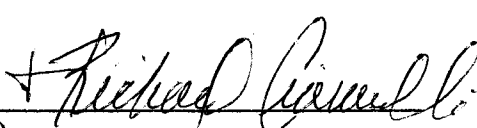
- W-2 Prior to issuance of building permits**, construction plans must include indoor water conservation measures including: low water-use toilets, showerheads, and faucets; automatic shut-off devices for bathroom and kitchen faucets; and point-of-use supplemental water heater systems or circulating hot water systems in bathrooms and kitchen. Landscape plans for the proposed parcels must include outdoor conservation measures including: limited landscape area, low water-use plant materials, limited turf area, soil moisture sensors, and drip irrigation systems.

**Monitoring:** The Planning and Building Department shall verify compliance.

- W-3 Prior to final inspection**, for structures where the pipe from the hot water heater to any faucet is greater than 20 feet in length, apply one or more of the following: 1) install a hot water pipe circulating system for entire structure; 2) install "point-of-use" water heater "boosters" near all hot water faucets (that are greater than 20 linear pipe feet from water heater), or 3) use the narrowest pipe possible (e.g., from 1" to ½" diameter). **Prior to permit issuance**, the measure(s) to be used shall be shown on all applicable plumbing plans.

**Monitoring:** The Planning and Building Department shall verify compliance.

*The applicant understands that any changes made to the project subsequent to this environmental determination must be reviewed by the Environmental Coordinator and may require a new environmental determination for the project. By signing this agreement, the owner(s) agrees to and accepts the incorporation of the above measures into the proposed project description.*

 +   
Signature of Owner(s)

10-5-05  
Date

   
Name (Print)

5-36 RB



SAN LUIS OBISPO COUNTY  
DEPARTMENT OF PLANNING AND BUILDING

JUN 24 2004

VICTOR HOLANDA, AICP  
DIRECTOR

THIS IS A NEW PROJECT REFERRAL

DATE:

6/24/04

FROM

PW

FROM

South Co. Team

(Please direct response to the above)

ASmussen

SUB2003-00328

Project Name and Number

Development Review Section (Phone: 781-788-2009)

PROJECT DESCRIPTION:

Parcel Map -> divide 14 acre  
parcel into 2 7-Acre parcels. In Nipomo  
west of Hwy 101.

Return this letter with your comments attached no later than:

7/9/04

PART I

IS THE ATTACHED INFORMATION ADEQUATE FOR YOU TO DO YOUR REVIEW?

☒ YES  
☐ NO

(Please go on to Part II)

(Call me ASAP to discuss what else you need. We have only 30 days in which we must accept the project as complete or request additional information.)

PART II

ARE THERE SIGNIFICANT CONCERNS, PROBLEMS OR IMPACTS IN YOUR AREA OF REVIEW?

☒ NO  
☐ YES

(Please go on to Part III)

(Please describe impacts, along with recommended mitigation measures to reduce the impacts to less-than-significant levels, and attach to this letter.)

PART III

INDICATE YOUR RECOMMENDATION FOR FINAL ACTION. Please attach any conditions of approval you recommend to be incorporated into the project's approval, or state reasons for recommending denial. IF YOU HAVE "NO COMMENT," PLEASE INDICATE OR CALL.

RECOMMEND APPROVAL - STUCKS ATTACHED

30 July 2004  
Date

Goodman  
Name

5252  
Phone



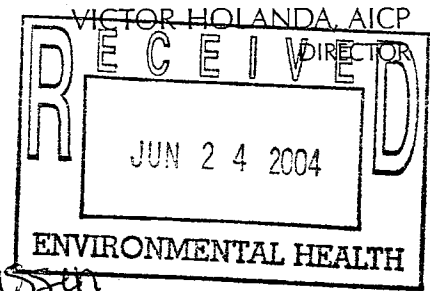
planner?

5-3713

SAN LUIS OBISPO COUNTY  
DEPARTMENT OF PLANNING AND BUILDING

CO 04-0153

THIS IS A NEW PROJECT REFERRAL



DATE:

TO:

FROM:

6/24/04  
Env. Health  
South Co. Team  
(Please direct response to the above)

ASmussen  
SUB2003-00328  
Project Name and Number

Development Review Section (Phone: 781-788-2009) ( )

PROJECT DESCRIPTION:

Parcel Map -> divide 14 acre  
parcel into 2 7-Acre parcels. In Nipomo  
west of Hwy 101.

Return this letter with your comments attached no later than:

7/9/04

PART I

IS THE ATTACHED INFORMATION ADEQUATE FOR YOU TO DO YOUR REVIEW?

\_\_\_\_ YES (Please go on to Part II)  
\_\_\_\_ NO (Call me ASAP to discuss what else you need. We have only 30 days in which  
we must accept the project as complete or request additional information.)

PART II

ARE THERE SIGNIFICANT CONCERNS, PROBLEMS OR IMPACTS IN YOUR AREA OF  
REVIEW?

\_\_\_\_ NO (Please go on to Part III)  
\_\_\_\_ YES (Please describe impacts, along with recommended mitigation measures to  
reduce the impacts to less-than-significant levels, and attach to this letter.)

PART III

INDICATE YOUR RECOMMENDATION FOR FINAL ACTION. Please attach any conditions of  
approval you recommend to be incorporated into the project's approval, or state reasons for  
recommending denial. IF YOU HAVE "NO COMMENT," PLEASE INDICATE OR CALL.

SEE ATTACHED.

Date

6/29/04

Name

Laurie Salvo

RECEIVED

JUN 30 2004

Planning & Bldg

Phone

781-5551



5-38  
County of San Luis Obispo • Public Health Department

Environmental Health Services

2156 Sierra Way • P.O. Box 1489  
San Luis Obispo, California 93406  
(805) 781-5544 • FAX (805) 781-4211

Gregory Thomas, M.D., M.P.H.  
County Health Officer  
Public Health Director

Curtis A. Batson, R.E.H.S.  
Director

April 9, 2004

James Michael McGillis  
P.O. Box 709  
New Harmony, UT 84757-0709

ATTN: J.M. McGillis  
RE: TENTATIVE PARCEL MAP CO 04-0153 (ASMUSSEN)

Water Supply

This office is in receipt of onsite water well information for the aforementioned subdivision map. Said information is considered satisfactory **preliminary** evidence of a domestic water supply.

Please be advised that additional water well documentation will be required for **each** lot prior to approving the map for recordation. Adequate documentation will include well capacity (pump test) and water quality testing, not more than five years old, prior to final recordation. Any proposal to share domestic water well would require consultation with Division staff.

Additionally, this office asks that you explore the possibility of joining the Nipomo Community Services District for water service.

Wastewater Disposal

Individual wastewater disposal systems are considered an acceptable method of disposal, provided County and State installation requirements can be met.

CO 04-0153 is approved for Environmental Health subdivision map processing.

*Laurie A. Salo*

LAURIE A. SALO, R.E.H.S.  
Senior Environmental Health Specialist  
Land Use Section

c: Kami Griffin, County Planning  
Fred Asmussen, Owner

5-39



COUNTY OF SAN LUIS OBISPO

Department of Agriculture/Measurement Standards

2156 SIERRA WAY, SUITE A • SAN LUIS OBISPO, CALIFORNIA 93401-4556  
ROBERT F. LILLEY (805) 781-5910  
AGRICULTURAL COMMISSIONER/SEALER FAX (805) 781-1035

AgCommSLO@co.slo.ca.us

DATE: August 2, 2004  
TO: Stephanie Fuhs, Planner II  
FROM: Lynda L. Auchinachie, Agriculture Department  
SUBJECT: Asmussen Parcel Map SUB2003-00328 (0925)

RECEIVED  
AUG 05 2004  
Planning & Bldg

**Summary**

The Agriculture Department's review finds that the proposal to subdivide a 14-acre parcel into two seven acre within the Residential Rural land use category would result in **less than significant impacts** to agricultural resources or operations with the incorporation of the following mitigation measures into the project.

**Recommended Mitigation Measures**

1. Provide supplemental disclosure to purchasers of these properties concerning the nature of the neighboring agricultural activities, hours of operation, and the county's Right-to-Farm Ordinance.

The comments and recommendations in our report are based on policies in the San Luis Obispo County Agriculture and Open Space Element, the Land Use Ordinance, the California Environmental Quality Act (CEQA), and on current departmental policy to conserve agricultural resources and to provide for public health, safety and welfare while mitigating negative impacts of development to agriculture.

**A. Project Description and Agricultural Setting**

The applicant is requesting to subdivide a 14-acre parcel into two seven-acre parcels within the Residential Rural land use category. The project site is located on the southwest corner of Dawn Road and Westwind Way, on the Nipomo Mesa. Greenhouse and nursery growing grounds are located to the east and southeast of the site. Surrounding properties are within the Residential Rural land use category.

**B. Impacts to Adjacent Agricultural Lands**

One of the primary goals of the Agriculture and Open Space Element is to ensure the long-term viability of agricultural resources and operations. Part of the land use review process is to identify potential land use conflicts between proposed development and existing production agriculture.

Growing grounds with limited use are located approximately 150 feet southeast of the project site with several mature trees and a road separating the properties. For these reasons, a buffer is not required, however, future property owners should be notified of agricultural activities in the area.

**C. Recommended Mitigation Measures**

1. Provide supplemental disclosure to purchasers of these properties concerning the nature of the neighboring agricultural activities, hours of operation, and the county's Right-to-Farm Ordinance.

If we can be of further assistance, please call 781-5914.





SF  
5-91 13  
SAN LUIS OBISPO COUNTY  
DEPARTMENT OF PLANNING AND BUILDING

JUL 07 2004

Planning & Bldg

VICTOR HOLANDA, AICP  
DIRECTOR

THIS IS A NEW PROJECT REFERRAL

DATE: 6/24/04 07/06/04  
FROM: Parks  
TO: South Co. Team  
(Please direct response to the above)

ASmussen  
SUB2003-00328  
Project Name and Number

Development Review Section (Phone: 781- 788-2009) ( )

PROJECT DESCRIPTION: Parcel Map -> divide 14 acre  
parcel into 2 7-Acre parcels. In Nipomo  
west of Hwy 101.

Return this letter with your comments attached no later than: 7/9/04

PART I IS THE ATTACHED INFORMATION ADEQUATE FOR YOU TO DO YOUR REVIEW?  
✓ YES (Please go on to Part II)  
NO (Call me ASAP to discuss what else you need. We have only 30 days in which we must accept the project as complete or request additional information.)

PART II ARE THERE SIGNIFICANT CONCERNS, PROBLEMS OR IMPACTS IN YOUR AREA OF REVIEW?  
✓ NO (Please go on to Part III)  
YES (Please describe impacts, along with recommended mitigation measures to reduce the impacts to less-than-significant levels, and attach to this letter.)

PART III INDICATE YOUR RECOMMENDATION FOR FINAL ACTION. Please attach any conditions of approval you recommend to be incorporated into the project's approval, or state reasons for recommending denial. IF YOU HAVE "NO COMMENT," PLEASE INDICATE OR CALL.

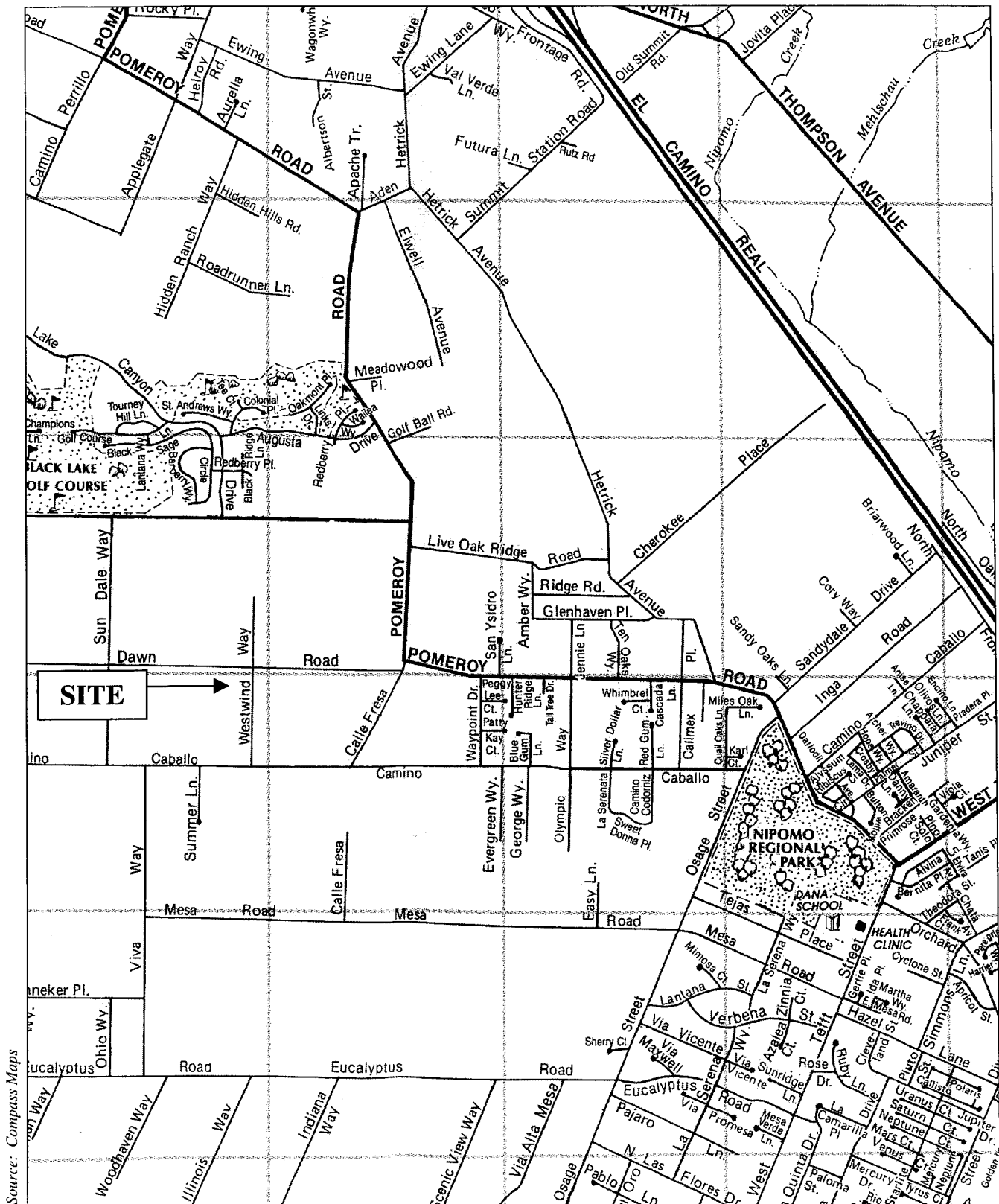
(1) Repeal Quimby Fees and applicable Building  
Division Fees.

(2) Repeal a detached trail along Westwind to  
the County's A-1(X) standard.

07/06/04  
Date

JM Dileo  
Name

4089  
Phone

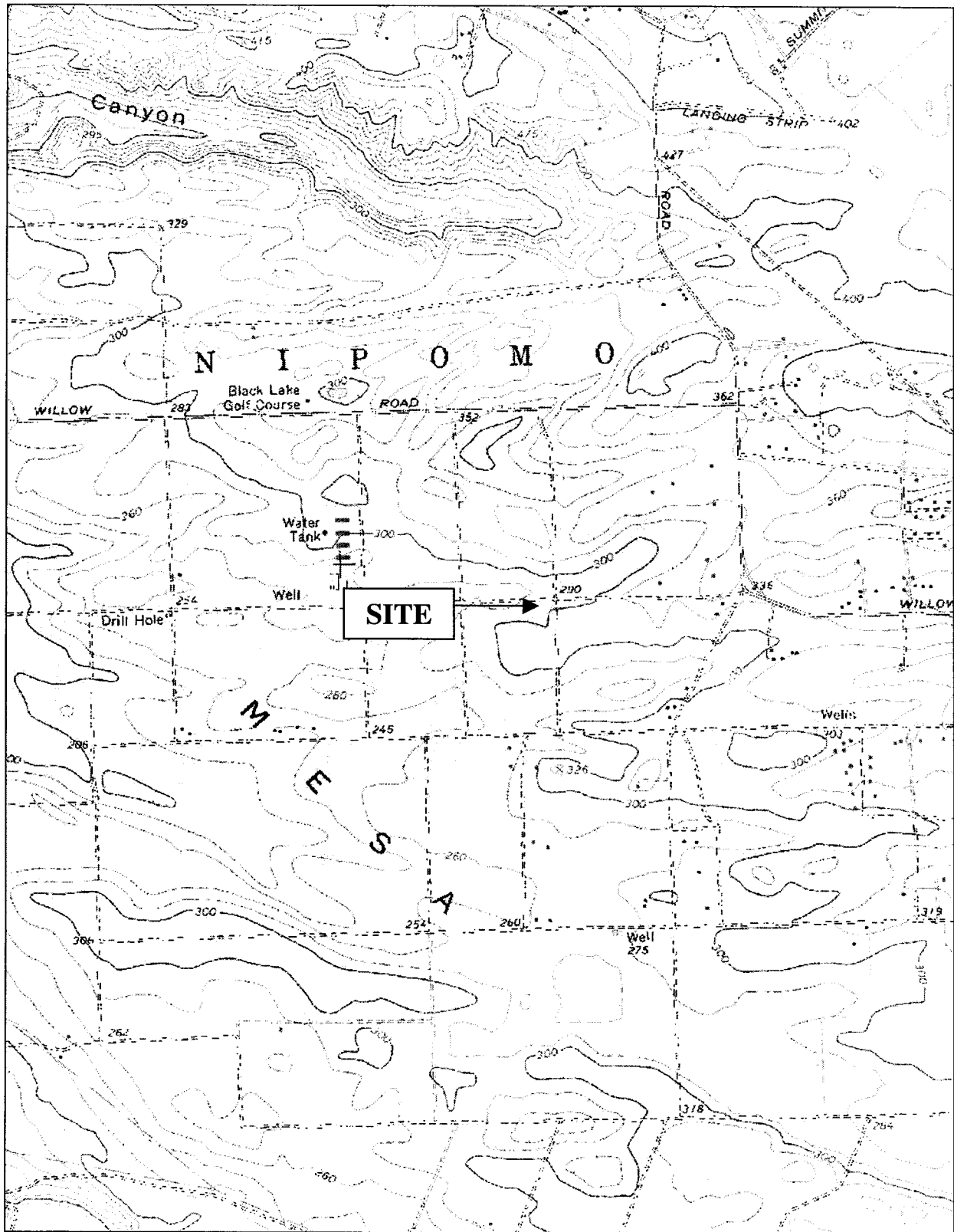


Source: Compass Maps



NORTH  
Not to Scale

VICINITY MAP  
FIGURE 1



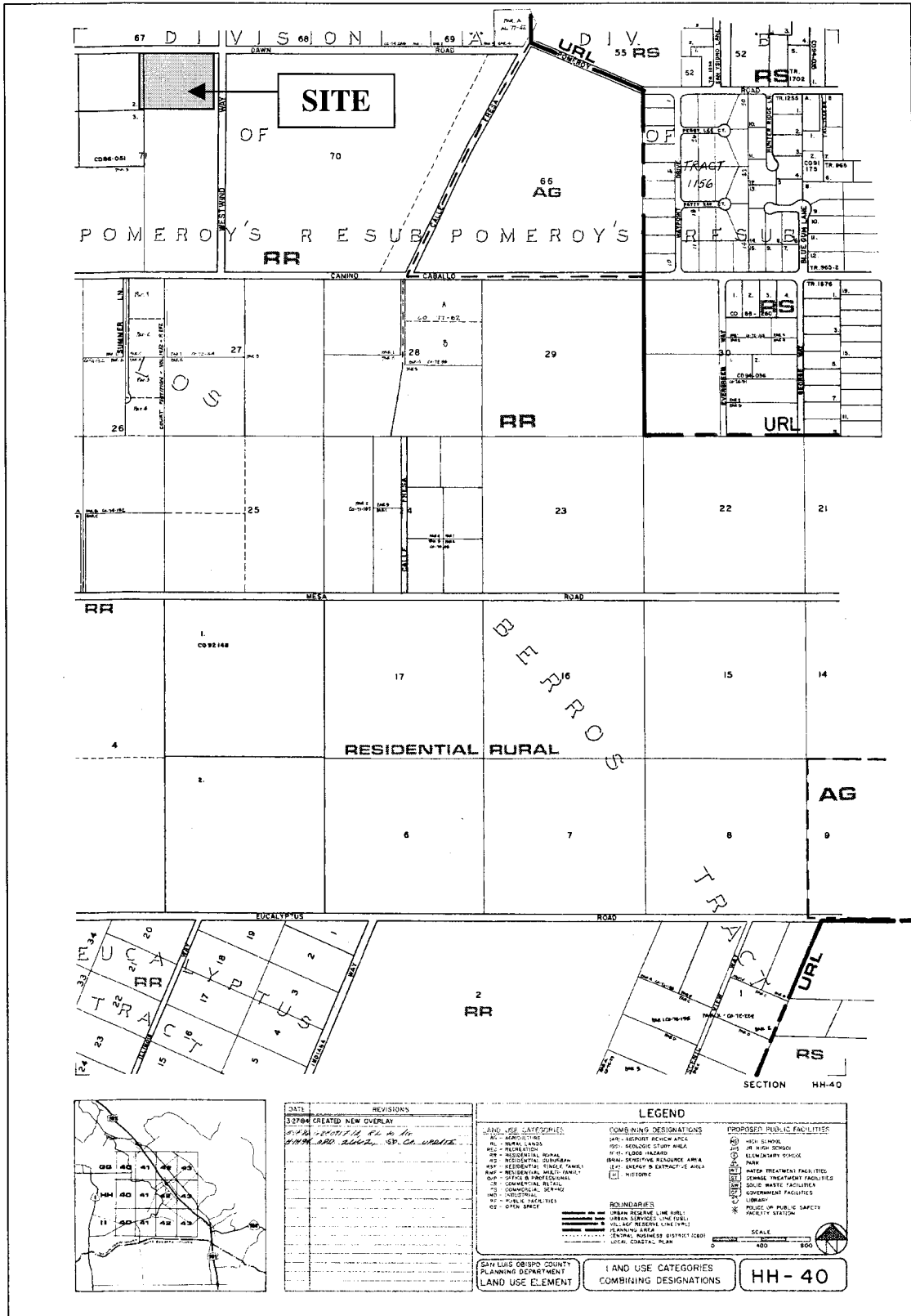
Source: USGS Nipomo Quadrangle



NORTH  
Not to Scale

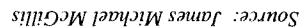
USGS MAP  
FIGURE 2

Source: County of San Luis Obispo



NORTH  
Not to Scale

LAND USE CATEGORY MAP  
FIGURE 3



**NORTH**  
**Not to Scale**

*Morro Group, Inc.*

**PARCEL MAP  
FIGURE 4**

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